

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

STANLEY RIMER,
 Plaintiff,

vs.

BRIAN SANDOVAL, et al.,
 Defendant.

Case No. 2:13-cv-01440-JCM-GWF

ORDER

This matter is before the Court on Defendants' Renewed Motion for Leave to File Medical Records Under Seal (#90), filed on May 26, 2015.

Defendants filed their initial Motion to Seal (#82) in order to have the Plaintiff's relevant medical records filed under seal. The Court denied that motion, stating that "confidentiality alone is insufficient to meet the 'compelling reasons' standard. (#87). The Defendants now bring a renewed motion in a second attempt to have the Plaintiff's relevant medical records filed under seal.

The "compelling reasons" standard is a high bar for the Defendants to meet. The Defendants request that the Plaintiff's relevant medical records be placed under seal. The records in question are, by the Plaintiff's own admission, relevant to the issues in this case. The Plaintiff's medical records are crucial in a case about the treatment he received while incarcerated. Merely citing privacy concerns, again, is insufficient to overcome the "strong presumption in favor of access." *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006).

The Court recognizes the need to redact specific personal identifying information in the medical records, such as Social Security numbers or dates of birth. The Court also recognizes that the process of redacting the medical records may be burdensome for the Defendants. However, the

1 burden placed on the Defendants to redact personal identifying information is insufficient to
2 warrant placing relevant and material medical records under seal. The Court will therefore deny
3 the motion without prejudice and allow the Defendants one more attempt to meet the high standard
4 set by *Kamakana*. Accordingly,

5 **IT IS HEREBY ORDERED** that the Defendants' Renewed Motion for Leave to File
6 Medical Records Under Seal (#90) is **denied** without prejudice. The exhibit will remain sealed for
7 14 days from the date of this order. If the Defendants file an amended motion to seal or object to
8 the Court's order, the exhibit shall remain sealed until further order of the Court.

9 **DATED** this 1st day of June, 2015.

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12 GEORGE FOLEY, JR.
13 United States Magistrate Judge
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